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TRANSMITTAL

Applicant	:	Ditter, et al.
App. No	:	10/603,425
Filed	:	June 24, 2003
For	:	LAMINATES OF ASYMMETRIC MEMBRANES
Examiner	:	Alicia Ann Chevalier
Art Unit	:	1794

Mail Stop
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Dear Sir:

Enclosed please find the following:

(X) Notification of Non-Compliant Appeal Brief mailed December 29, 2009.

(X) Corrected Section III in 1 page.

(X) Corrected Section V in 3 pages.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 1/14/10

By: _____

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Paper No.

Application No.:	**10/603,425**	**Date Mailed:**	**12/29/2009**
First Named Inventor:	Ditter, Jerry,	Examiner:	CHEVALIER, ALICIA ANN
Attorney Docket No.:	PALL.107C1	Art Unit:	1794
Confirmation No.:	3308	Filing Date:	06/24/2003

Please find attached an Office communication concerning this application or proceeding.

Commissioner for Patents

PTO-90c (Rev.08-06)

Notification of Non-Compliant Appeal Brief (37 CFR 41.37)	Application No.	Applicant(s)	
	10/603,425	DITTER ET AL.	
	Examiner	Art Unit	
	Chevalier, A. A.	1794	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on *01 December 2009* is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file anamended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.

2. ☒ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).

3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).

4. ☒ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).

5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi))

6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).

7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).

8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).

9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).

10. ☐ Other (including any explanation in support of the above items):

Section V Summary of claimed subject matter must identify and map all independent claims separately on appeal to spec. by pg. and line number or paragraph number and / or drawings if any. Section III Status of claims section fails to list the status of all claims. (Appealed, Canceled, Withdrawn)

Entire brief is not needed for this correction only the section found defective .

/LASHAWN A. HINTON/
LaShawn Hinton
571-272-1584

III. STATUS OF THE CLAIMS

Claims 1, 7, 13-16, 18, 21, 22, 25-27, 29, 30, and 35-44 are finally rejected. The status of the claims is as follows: Claims 1, 7, 13-16, 18, 21, 22, 25-27, 29, 30, and 35-44 are appealed; Claims 2-6, 8-12, 17, 19, 20, 23, 24, 28, and 31-34 are canceled; no claims are withdrawn. The claims at issue are attached hereto as Appendix A.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The claimed subject matter is directed to composite filters and methods for preparing same. The following is a concise explanation of the subject matter defined in each independent claim (Claims 21, 39 and 42) involved in the appeal, referring to the specification by page and line number and to drawings by reference characters.

A. Claim 21

A filter laminate (page 3, line 20 of specification as filed) is claimed, comprising: a plurality of discrete layers of material (page 3, line 21 of specification as filed), wherein each layer is adjacent at least one other layer (page 3, lines 21-22 of specification as filed), said plurality of discrete layers comprising: a first membrane (page 4, line 15 of the specification as filed), wherein said first membrane is an asymmetric membrane (page 3, line 22; see also page 4, line 15 and page 9, line 19 of specification as filed) having a skin surface (page 9, line 21 of specification as filed) and an open surface (page 9, line 23 of specification as filed), wherein pores of the open surface are larger than pores of the skin surface (page 9, line 20 of specification as filed), and wherein said asymmetric region comprises flow channels that gradually increase in diameter from said skin surface to said open surface (page 4, lines 1-2 of the specification as filed); a second membrane (page 4, line 16 of specification as filed), wherein said second membrane is an asymmetric membrane (page 4, line 16 of specification as filed) having a skin surface (page 3, page 9, line 21 of specification as filed) and an open surface (page 3, page 9, line 23 of specification as filed), wherein pores of the open surface are larger than pores of the skin surface (page 3, page 9, line 20 of specification as filed), and wherein said asymmetric region comprises flow channels that gradually increase in diameter from said skin surface to said open surface (page 4, lines 1-2); and a bond (page 4, lines 19-20) between the skin surface of the first membrane and the skin surface of the second membrane (page 10, lines 1-5), wherein the filter laminate has a higher bubble point than either the first membrane or the second membrane (page 10, lines 11-14 of the specification as filed), wherein a bubble point of the filter laminate is greater than a bubble point of the first membrane layer and the second membrane layer in a skin-to-skin configuration without bonding (page 4, lines 19-21 of the specification as filed), and wherein the filter laminate has a greater integrity than a combination wherein the skin surface of the first membrane and the skin surface of the second membrane are adjacent to each other but not bonded to each other (page 11, lines 7-8 of the specification as

filed), wherein the filter laminate has a flow rate therethrough such that the filter laminate is configured for separation by filtration (page 8, line 18; see also page 10, lines 3-8 of the specification as filed).

B. Claim 39

A filter laminate (page 3, line 20 of specification as filed) is claimed, comprising: a plurality of discrete layers of material (page 3, line 21 of specification as filed), wherein each layer is adjacent at least one other layer (page 3, lines 21-22 of specification as filed), said plurality of discrete layers comprising: a first membrane (page 4, line 15 of the specification as filed), wherein said first membrane is an asymmetric membrane (page 3, line 22; see also page 4, line 15 and page 9, line 19 of specification as filed) having a skin surface (page 9, line 21 of specification as filed) and an open surface (page 9, line 23 of specification as filed), wherein pores of the open surface have an average diameter at least about 5 times greater than an average diameter of pores of the skin surface (page 13, lines 2-3 of specification as filed), and wherein said asymmetric region comprises flow channels that gradually increase in diameter from said skin surface to said open surface (page 4, lines 1-2 of the specification as filed); a second membrane (page 4, line 16 of specification as filed), wherein said second membrane is an asymmetric membrane (page 4, line 16 of specification as filed) having a skin surface (page 3, page 9, line 21 of specification as filed) and an open surface (page 3, page 9, line 23 of specification as filed), wherein pores of the open surface have an average diameter at least about 5 times greater than an average diameter of pores of the skin surface (page 13, lines 2-3 of specification as filed), and wherein said asymmetric region comprises flow channels that gradually increase in diameter from said skin surface to said open surface (page 4, lines 1-2); and a bond (page 4, lines 19-20) between the skin surface of the first membrane and the open surface of the second membrane (page 10, lines 1-2), wherein an average pore size of the pores of the open surface of the first membrane is larger than an average pore size of the pores of the open surface of the second membrane (page 12, lines 3-4), wherein the filter laminate has a flow rate therethrough such that the filter laminate is configured for separation by filtration (page 8, line 18).

C. Claim 42

A filter laminate (page 3, line 20 of specification as filed) is claimed, comprising: a plurality of discrete layers of material (page 3, line 21 of specification as filed), wherein each

layer is adjacent at least one other layer (page 3, lines 21-22 of specification as filed), said plurality of discrete layers comprising: a first membrane (page 4, line 15 of the specification as filed), wherein said first membrane is an asymmetric membrane (page 3, line 22; see also page 4, line 15 and page 9, line 19 of specification as filed) having a skin surface (page 9, line 21 of specification as filed) and an open surface (page 9, line 23 of specification as filed), wherein pores of the open surface have an average diameter at least about 5 times greater than an average diameter of pores of the skin surface (page 13, lines 2-3 of specification as filed), and wherein said asymmetric region comprises flow channels that gradually increase in diameter from said skin surface to said open surface (page 4, lines 1-2 of the specification as filed); a second membrane (page 4, line 16 of specification as filed), wherein said second membrane is an asymmetric membrane (page 4, line 16 of specification as filed) having a skin surface (page 3, page 9, line 21 of specification as filed) and an open surface (page 3, page 9, line 23 of specification as filed), wherein pores of the open surface have an average diameter at least about 5 times greater than an average diameter of pores of the skin surface (page 13, lines 2-3 of specification as filed), and wherein said asymmetric region comprises flow channels that gradually increase in diameter from said skin surface to said open surface (page 4, lines 1-2); and a bond (page 4, lines 19-20) between the open surface of the first membrane and the open surface of the second membrane (page 10, lines 1-2), wherein the filter laminate has a flow rate therethrough such that the filter laminate is configured for separation by filtration (page 8, line 18).